

government, the Congress has passed legislation dealing with this topic but have not yet adopted the rules and regs to implement it and so the state has moved forward and last session two different bills were introduced, one by Senator Lynch, that's LB 551 which is before you today, and the other one by Senator Kristensen, which was killed by the committee after we reached the compromise in this form of a committee amendment. And, essentially, the two forces that work on this issue have been those that want to license and regulate the technicians who work in labs so that they are trained and able to handle their functions versus those that want to license and regulate the labs themselves and the output of labs. Both agreed that we have had problems with medical labs and the quality of their work, that we have had some difficulties in reaching the level of accuracy in testing that we would like to see in our medical labs not only in Nebraska, but across the country. This is a national issue and of great concern to many people. And so we did sit down after the introduction of those two bills and the task force was formed by the committee and went to work. Senator Dennis Byars chaired that task force and through his good work and those, the participants in the task force, reached a compromise. The participants included the Medical Association, the Hospital Association and the Medical Technology Society and that is what is before us currently in these amendments. The amendments essentially do the following. They set up a Laboratory Advisory Board and this will set standards for the clinical lab, technicians and clinical lab technologists so that there would be some indication of skill level in these individuals. It would not require that labs hire technicians or technologists. The labs could not select those individuals to work in the labs, but if they chose to do so, they'd have to have a consulting pathologist work with the lab and all labs would have to have quality assurance and proficiency testing program and the bill does set out the standards for that program so that we would know that even if the lab did not utilize these trained individuals, that the lab was providing quality work and so it does reach a compromise to that degree. We do exempt from the lab certificate, all labs would have to be certified except for those for teaching or research purposes, dental labs and allergy labs and so this would allow for in physician offices for the first time, some quality assurance for labs in those settings. There is fees and enforcement provided for in the amendment for the Department of Health to carry out the provisions of the bill and it would take effect July 1 of 1991. With that, I know there is an amendment to the committee